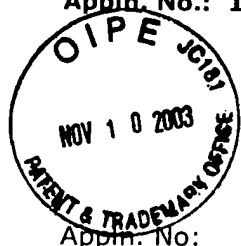


Appln. No.: 10/654,500

MAT-8065US1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.: 10/654,500
Applicant: Hideyuki Hashi et al.
Filed: September 3, 2003
Title: MAGNETIC TRANSFER METHOD AND MAGNETIC TRANSFER DEVICE
TC/A.U.: To Be Assigned
Examiner: To Be Assigned
Confirmation No.: To Be Assigned
Docket No.: MAT-8065US1

**PETITION TO MAKE SPECIAL
FOR NEW APPLICATION UNDER M.P.E.P. § 708.02, VIII**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Petition

Applicant hereby petitions to make this new application, which has not received any examination by the Examiner, special.

Claims

- (a) All the claims in this case are directed to a single invention.
- (b) If the Office determines that all the claims presented are not obviously directed to a single invention, then applicant will make an election without traverse as a prerequisite to the grant of special status.

Search

A search has been made by foreign patent office in the following: corresponding foreign patent office or at the former International Patent Institute at The Hague, Netherlands.

Copy of References

There is submitted herewith a copy of the references deemed most closely related to the subject matter encompassed by the claims, except for those already of record. Also attached is Form PTO-1449.

Detailed discussion of the references

There is submitted herewith a detailed discussion of the references, which discussion particularly points out how the claimed subject matter is distinguishable over the references. Also attached is an Information Disclosure Statement.

DETAILED DISCUSSION OF THE REFERENCES

Applicants' claim 23 includes a feature which is neither disclosed nor suggested by the art cited in the Search Report, namely:

. . .wherein one of said master disc retaining means and said magnetic disc retaining means bring the magnetic part of the master disc and the disc-like magnetic recording medium towards each other a plurality of times, overlap position between said master disc and said disc-like recording medium is different each of said times . . .(emphasis added)

This is illustrated by Figure 21 of the above-identified application. As shown, overlap position between the master disc and the disc-like recording medium is different each time one of the master disc and the disc-like recording medium are brought toward each other.

The International Search Report cites 11 references. The first four references will be discussed below. References 5-11 will not be discussed because they are all Japanese applications and they were all published after the PCT filing date of the above-identified application.

Claim 23 is not anticipated by JP 10-040544. JP 10-040544 forms projections and recesses corresponding to information signals on and in a surface of a base body. A surface of the thus-obtained master information carrier is brought in touch with a surface of a sheet-like or disc-like magnetic recording medium with a ferromagnetic thin film or ferromagnetic particle-applied layer, whereby a magnetization pattern corresponding to the projections and recesses on the surface of the master information carrier is recorded to the magnetic recording medium. JP 10-040544 does not disclose different overlap position between master disc and disc-like recording medium each time at least one of the disc and the disc-like recording medium are brought towards each other.

Claim 23 is not anticipated by JP 10-162360. JP 10-162360 discloses a magnetic transfer method in which a disc-shape master medium with information recorded is rotated in close contact with an unrecorded disc-like slave medium, with a magnetic field energized using a magnet, so that magnetic transfer is performed from the master to the slave medium. JP 10-162360 does not disclose different overlap positions between the two discs each time one of the two discs is brought towards each other.

Claim 23 is not anticipated by JP 10-320768. JP 10-320768 discloses the use of projecting parts and recessed parts corresponding to master information pattern are formed on a substrate. Surfaces of the projecting parts are composed of ferromagnetic material, and bottom surfaces of the recessed parts are made to be either of the surface of the substrate consisting of ferromagnetic material or high polymer material. JP 10-320768 does not disclose different overlap positions between two discs as at least one of the two discs is brought towards each other.

Claim 23 is not anticipated by JP 11-025455. JP 11-025455 discloses a spindle of a master disc is inserted into a center hole of the slave disc, and an exhaust valve is closed and an inlet valve is opened to operate a suction pump. When an exhaust pump is operated to discharge air, the master disc and the slave disc are closely stuck to each other. Thus, JP 11-025455 does not disclose two discs in which overlap between the two discs is changed each time at least one of the two discs are brought towards each other.

Respectfully submitted,

Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

LEA/mjc

Enclosure: \$130.00 Check

Dated: October 31, 2003

P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

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PTO/SB/17 (10-03) (AW 10/2003)
 Approved for use through 7/31/2006. OMB 0651-0032
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130.00

Complete if Known

Application Number 10/654,500
 Filing Date September 3, 2003
 First Named Inventor Hideyuki Hashi et al.
 Examiner Name To Be Assigned
 Art Unit To Be Assigned
 Attorney Docket No. MAT-8065US1

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number

18-0350

Deposit Account Name

RatnerPrestia

The Commissioner is authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below
☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	750	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
2	1		-20** = 0	X	0
			-3** = 0	X	0
				X	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

SUBMITTED BY

Name (Print/Type) Lawrence E. Ashery

Signature

Registration No. Attorney/Agent

34,515

Complete (if applicable)

Telephone

610-407-0700

Date

October 30, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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